

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA]

]

v.]

Cr. No. 19-cr-142-01-LM

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NATHAN CRAIGUE

RENEWED MOTION TO DISMISS

On or about January 23, 2020, the defendant, Nathan Craigue, through his counsel, Dorothy E. Graham, AFPD, moved to dismiss his indictment on three grounds. *See* Doc. 15. The Court denied the motion as to grounds (#1) and (#2) and denied without prejudice as to ground (#3). *See* Doc 27. In light of the superseding indictment, Doc. 79, and to preserve those issues, Craigue renews his motion to dismiss pursuant to Rule 7(c)(1) and Rule 12(b)(3)(B) of the Federal Rules of Criminal Procedure and the arguments made therein. Specifically, Counts One and Two are (1) insufficient because they lack specificity and (2) fail to state an offense punishable by the statutes of the United States. Finally, Craigue again asserts that 18 U.S.C. §1001(a)(2) must be invalidated for vagueness, as applied to the facts of this case, because it failed to provide him the kind of notice that would have enabled him to understand what conduct was prohibited.

The government objects.

No separate memorandum of law is attached as all points and authorities were set forth in Doc. 15 and contained herein.

Respectfully submitted,

Date: April 20, 2021

/s/ Dorothy E. Graham

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the above document was served on the following person on April 20, 2021 and in the manner specified herein: electronically served through CM/ECF to the attorneys of record.

/s/ Dorothy E. Graham

Dorothy E. Graham